REMARKS

This Amendment is filed in response to the Office Action filed on December 18, 2003. All objections and rejections are respectfully traversed.

Claims 41-82 are in the case.

Claims 41-82 have been added to more particularly claim the invention.

Claims 1-40 have been canceled without prejudice.

At paragraph 1 of the Office Action, the drawings were objected to as failing to comply with 37 C.F.R. §1.84(p)(5) because they include a reference sign not mentioned in the description. The Specification has been amended to include a description of reference sign "904," which Applicant assumes the Examiner meant instead of "903." No new matter has been entered, as the subject matter for reference sign "904" was originally disclosed in the drawing upon filing of the present application, and the drawings are believed to be in allowable condition.

At paragraph 2 of the Office Action, the Abstract was objected to because it was longer than the 150 word limit. The original Abstract has been canceled, and the replacement Abstract is believed to be in allowable condition.

At paragraphs 3-5, claims 6, 25, 26, and 28 were objected to and/or rejected for various reasons. Claims 6, 25, 26, and 28 have been canceled, and Applicant considers these objections and rejections moot.

At paragraphs 6-23, claims 1-40 were rejected to under 35 U.S.C. §103(a) as being unpatentable over various combinations of U.S. Patents, U.S. Patent Application Publications, and European Patents. Although claims 1-40 have been canceled, Applicant feels it may be necessary to distinguish new claims 41-82 from Examiner's cited art, as the new claims contain much of the same subject matter as the canceled claims.

The present invention, as set forth in representative claim 41 (emphasis added to point out subject matter added to cancelled claim 1), comprises in part:

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A system for servicing one or more household appliances, the system comprising:

A. one or more monitoring subsystems associated with the one or more household appliances, each monitoring subsystem

   i. continuously monitoring the operations of a given household appliance and retaining as functional data information relating to the functioning of the household appliance,

   ii. analyzing the functional data and related historical and statistical data maintained by the monitoring subsystem and determining if the household appliance is in need of attention to avoid a failure of the household appliance, and

   iii. transmitting *one or more warning and alarm messages* indicating that the household appliance requires attention and the related functional data; and

B. a center for receiving the messages sent by the monitoring subsystems in a plurality of households, the center

   i. further analyzing the respective messages and the received data and related functional, historical and statistical data maintained by the service center to produce *an in-depth analysis of the overall data,*

   ii. *determining if one or more of the appliances requires other or more attention than is indicated by the one or more monitoring subsystems*, and

   iii. contacting one or more users of the associated household appliances to inform them of the particular attention required by the household appliances to avoid failures of the respective household appliances.

After carefully considering Johnson, Applicant respectfully urges that the three components of Johnson in combination only perform functions that are performed by Applicant's claimed monitoring subsystems, that is, the combination performs functions that are directed to the issuance of an alarm message. Also, there is no teaching or suggestion in Johnson of a further analysis that occurs after the issuance of the alarm message.

Basically, the three components of the Johnson system consist of one or more transducers (sensors), a transducer control module, and a monitoring system. The transducers provide raw sensor data to the transducer control module. The transducer control module detects "events" based on user-defined rules, such as threshold limits. When an event is detected, the transducer control module notifies the monitoring system and sends the related data. When the event data from the transducer control module indicates an alarm condition, the monitoring system produces an alarm message. As discussed, there is no teaching or suggestion in Johnson of a service center that receives and further analyzes alarm messages and the associated data, and accordingly, the Johnson system transmits the alarm messages directly to the user.

Applicant's system and the Johnson system are also directed to different operations. The Johnson system is directed to allowing a user to monitor and even control appliances in his/her household, vacation home, and so forth. Thus, the Johnson system allows a user to set his/her own user-defined thresholds, select his/her own time to review appliance data, for example, over the internet, and so forth. In contrast, the Applicant's system - even the monitoring subsystems - provide a more in-depth analysis of the operations of the respective household appliances, and continuously analyze various appliance conditions in a manner that encompasses more involved criteria than the user-defined thresholds of the Johnson system. Further, the Applicant's remote center includes in a further analysis more historical data, e.g., data from other appliances in the same household and/or other households, and so forth, than can be performed by the Johnson system.

Accordingly, Applicant respectfully submits that the Johnson system operations fall completely within the monitoring, analyzing and transmitting operations performed by the Applicant's monitoring systems. Further, there is no teaching or suggestion in Johnson of a service center that performs a second level of analysis to provide a more in-depth analysis of the overall data and to determine, for example, what particular at-

tention is required and/or if other attention is required beyond that associated with the conditions that warranted the alarm message.

After careful review of Billington, Applicant respectfully submits that the system in Billington also only performs functions that are performed by Applicant's claimed monitoring subsystems. Billington describes a system that collects data from sensors that measure machine vibrations, analyzes the sensor data, (either in response to a user request or an automatic notification) and produces and transmits alert messages that may be color-coded so that a distinction can be made as to whether the condition is an alarm, or simply a warning condition. Like the alarm and warning messages produced by the Applicant's current monitoring system (Applicant's page 14, lines 14-15), the Billington messages may include information that describes a cause of the conditions that resulted in the alarm or warning message.

Like Johnson, Billington does not teach or suggest a service center that performs an analysis beyond the analysis that produces the alarm and warning messages. Further, there is no teaching or suggestion in Johnson of a service center that performs a second level of analysis to provide a more in-depth analysis of the overall data and to determine, for example, what particular attention is required and/or if other attention is required beyond that associated with the conditions that warranted the alarm message.

Indeed, a combination of the teachings of Billington with those of Johnson adds to the Johnson system the step of determining if a message to the user should be sent as an alarm or a warning message. The combination does not teach or suggest a system that includes a service center that performs a second level of analysis to provide a more in-depth analysis of the overall data and to determine, for example, what particular attention is required and/or if other attention is required beyond that associated with the conditions that warranted the alarm message. In particular, the combination does not teach or suggest a system such as that set forth in independent claims 41 and 62 and the claims that depend therefrom.

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent on allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully requested.

Applicant respectfully invites the Examiner to call the attorney listed at the number below if he feels it would help advance the prosecution of this application to an issued United States Patent.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

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